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#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert James Monson and Wesley Eugene Revely Attorney file: 5591
Serial No.: 10/055,752 Examiner:
Filed: 1/23/02 Group: 3745
For: FLAT FAN DEVICE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington D.C. 20231 on July 18 2002 by applicant's attorney, Carl L. Johnson.

Carl L. Johnson

Date

Honorable Commissioner of Patents and Trademarks
Washington D. C. 20231

PETITION REGARDING NOTICE OF OMITTED ITEM

The applicant's attorney received the enclosed notice of missing drawings of the specification on June 24, 2002. The applicants' attorney submits that the completed application with 4 sheets of drawing was submitted to the U.S. Patent Office on January 23, 2002. As evidence of such submission the applicant submits the following:

1. A copy of a return post card indicated that the drawings were submitted and received by the Patent Office on January 23, 2002.
2. A copy of the filing receipt, dated 02/25/2002, received by the applicant which does not indicated a notice of missing parts.
3. A declaration of Carl L. Johnson stating that 4 sheets of drawing were included with the copy of the application sent to the Patent Office.
4. A corroborating declaration of Thomas Phung:

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5. A copy of the 4 sheets of drawings, which the applicant's attorney requests to be placed in the file in the event the Office does not find the original 4 sheets of drawing.

The applicant request that the office withdraw the notice of missing drawings and that the 4 sheets drawings be accorded the filing date of January 23, 2002. In the event that the Office does not grant the applicant's petition to withdraw the notice of omitted item, the applicant has also included with this petition a declaration executed by the inventor and request that the above-identified applicant be given the earliest possible filing date. Please charge any petition fees to deposit account 10-0210.

JACOBSON AND JOHNSON

By



Carl L. Johnson, Reg. No. 24,273
Attorneys for Applicant
Suite 285
One West Water Street
St. Paul, Minnesota 55107-2080

Telephone: (651) 222-3775
Fax: (651) 222-3776

CLJ/cj
Enclosure



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert James Monson and Wesley Eugene Revely Attorney file: 5591
Serial No.: 10/055,752 Examiner:
Filed: 1/23/02 Group: 3745
For: FLAT FAN DEVICE

DECLARATION OF THOMAS PHUNG

I, Thomas Phung, state:

That I am a law clerk that works in the Law Office of Jacobson and Johnson;

That one of my duties includes preparing the transmittal letter and making photocopies of the specification, claims, and drawings prior to submitting a patent application to the U.S. Patent Office;

That Mr. Carl Johnson has instructed me on the importance of checking to see if each page of the specification, claims and drawings are included with the application filed in the U.S. Patent Office;

That I have observed Carl Johnson counting and reviewing each page of specification and claims prior to placing the application in an envelope for mailing to the U.S. Patent Office;

That I have worked for Mr. Carl Johnson since May, 2000 and during that time I have never failed to observe him check to make sure that all pages of the specification and the drawings are included with the patent application prior to inserting the papers in an envelope addressed to the Commissioner of Patents;

That in reviewing the above-identified file on June 24, 2002, I found a copy of the transmittal sheet together with a copy of 4 sheets of drawings and 23 sheets of the specification stapled together;

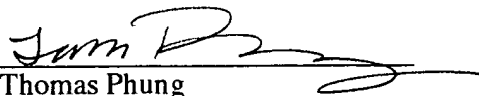
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I the undersigned hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statement were made with the knowledge that willful false statements and like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date July 18, 2002

By 
Thomas Phung



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert James Monson and Wesley Eugene Revely Attorney file: 5591
Serial No.: 10/055,752 Examiner:
Filed: 1/23/02 Group: 3745
For: FLAT FAN DEVICE

DECLARATION OF CARL L. JOHNSON

I, Carl L. Johnson Reg. No. 24, 273, state:

That I am the attorney of record in the above-identified patent application;

That I prepared and filed the above-identified patent application by Express Mail on January 23, 2002;

That on June 24, 2002 I received a notice from the Patent Office, dated June 18, 2002, stating that the filing date has not been accorded to the above-identified patent application because the application was deposited without drawings;

That as part of my process of filing a patent application the specification and claims, which are transmitted to the Patent Office are copied, bounded together and placed in the patent file;

In response to the notice of missing parts, dated June 18, 2002, I immediately reviewed my above-identified patent file;

That I found a copy of the transmittal sheet together with a copy of 23 sheets of the specification, and four sheets of drawings bounded together;

That it is my customary and usual practiced in the filing of each and every patent application that prior to placing the application in the envelope for mailing to the Patent Office I review and count each page of the specification, claims and drawings to ensure that no page has been left out during the copying process;

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That in the filing of the above-identified patent application I counted 4 sheets of drawings and 23 pages of specification and claims;

That enclosed is a declaration of Thomas Phung, a law clerk who works in the office of Jacobson and Johnson, stating that he has always observed me checking to make sure that all pages of the specification and the drawings are included with the patent application prior to inserting the papers in an envelope addressed to the Commissioner of Patents;

That also included in the declaration of Thomas Phung is a statement that that he has also found in the above-identified application a copy of the transmittal sheet together with a copy of 23 sheets of the specification, and 4 sheets of drawings bounded together;

That enclosed is a copy of a return post marked card EX. A prepared by myself for the above-identified patent application;

That the returned postcard indicates that the drawings were sent and received in the Patent Office on 01/12/02;

That the return post card does not indicate that the drawings were not received by the Patent Office;

That also enclosed is a copy of the filing receipt marked EX. B for the above-identified patent application, dated 02/15/2002; and

That the filing receipt, dated 02/15/2002, did not indicate a notice of missing parts.

I the undersigned hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statement were made with the knowledge that willful false statements and like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

7-12-02

Date

Carl L. Johnson

Carl L. Johnson

Reg. No 24,273

Attorneys for Applicant



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EX. A

THE UNITED STATES PATENT AND TRADEMARK OFFICE
acknowledges receipt of the following:

<input checked="" type="checkbox"/> Patent Application	<input type="checkbox"/> Pat App. Amendment	<input type="checkbox"/> Trademark Application
<input checked="" type="checkbox"/> Pages	<input type="checkbox"/> Extension of Time	<input type="checkbox"/> Specimens
<input checked="" type="checkbox"/> Drawings	<input type="checkbox"/> Issue Fee	<input type="checkbox"/> Trademark Amendment
<input type="checkbox"/> Assignment	<input type="checkbox"/> Maintenance Fee	<input type="checkbox"/> Extension of Time to use
<input checked="" type="checkbox"/> Prior Art Statement	<input type="checkbox"/> M. Fee Address Form	<input type="checkbox"/> Statement of use
<input type="checkbox"/> Small Entity Form		<input type="checkbox"/> § 8 & 15 Affidavit
		<input type="checkbox"/> Renewal

☒ Check(s) \$ 830

Other: _____

Title: FLAT FAN DEVELOP

Inventor: MORSE

S.N.: _____

Attorney File: 5591



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UNITED STATES PATENT AND TRADEMARK OFFICE

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EX. B

JUL 23 2002

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/055,752	01/23/2002	3745	830	5591 EA-00059		25	3

CONFIRMATION NO. 7386

FILING RECEIPT



OC000000007488572

Carl L. Johnson
Jacobson and Johnson
Suite 285
One West Water Street
St. Paul, MN 55107-2080

Date Mailed: 02/15/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Robert James Monson, St. Paul, MN;
Allen L. Arndt, Burnsville, MN;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 02/15/2002

Projected Publication Date: 07/24/2003

Non-Publication Request: No

Early Publication Request: No

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Title

Flat fan device

Preliminary Class

416



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Attorney file 5591r2
EA-00059

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **FLAT FAN DEVICE**, the specification of which

☒ is attached hereto.

☐ was filed on _____ as

Application Serial No. _____

and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

Yes No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35 United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Serial no.

(Filing Date)

(Status-patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Marvin Jacobson, Reg. No. 20,196; Carl L. Johnson, Reg. No. 24,273;

Glenn W. Bowen (Reg. No. 22,704); and Patrick M. Hogan Reg. No. 29,543

Address all telephone calls to:

Carl L. Johnson at telephone no. 1-651-222-3775

Address all correspondence to:

Carl L. Johnson
Jacobson and Johnson
Suite 285, One West Water Street
St. Paul, Minnesota 55107-2080

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Robert James Monson

Inventor's signature

Robert J. Monson

Date

7/8/02

Residence 1027 Brenner Ave., St. Paul Citizenship USA

Post Office Address 1027 Brenner Ave., St. Paul

Full name of sole or second inventor Allen L. Aradt

Inventor's signature

Allen L. Aradt

Date

7/8/02

Residence 12228 Allen Drive, Burnsville, MN 55337 Citizenship USA

Post Office Address 12228 Allen Drive, Burnsville, MN 55337

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WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/055,752	01/23/2002	Robert James Monson	5591 EA-00059

Carl L. Johnson
Jacobson and Johnson
Suite 285
One West Water Street
St. Paul, MN 55107-2080

CONFIRMATION NO. 7386

FORMALITIES LETTER



Date Mailed: 06/18/2002

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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